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9 **UNITED STATES DISTRICT COURT**
10 **DISTRICT OF NEVADA**

11 UNITED STATES OF AMERICA,

12 Plaintiff,

13 v.

14 ANOUSONE SAVANH,

15 Defendant.

Case No. 2:14-CR-290-KJD-PAL

NOTICE OF EXPERT TESTIMONY

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17 This Notice is being filed timely.

18 Anousone Savanh, through his attorney, Assistant Federal Public Defender, William
19 Carrico, gives notice of his intention to call Mr. Donald Cinco as an expert witness regarding
20 computer forensic analysis, forensic examinations of digital devices, file deletion, forensic
21 recovery techniques, and other computer related issues that are central to the case at bar.

22 **I. SUMMARY OF OPINION**

23 In compliance with Rules 16 and 702 of the Federal Rules of Evidence, Mr. Donald
24 Cinco will offer testimony concerning the presence of malware and its effect on the existence
25 of child pornography linked to the defendant's personal computer. Mr. Cinco will testify
26 concerning the results of forensic testing on the ICAC (Internet Crimes Against Children)

1 forensic “defense” computer, containing the evidence files, and put together by the
2 government’s law enforcement agency. Through this methodology, Mr. Cinco was able to view
3 a virtual copy of the computer just as the Defendant and the government would have
4 encountered it.

5 Mr. Cinco will testify that he utilized several analytical processes in an effort to
6 determine if malware was present and what, if any relationship that may have had with the
7 presence of child pornography on the system, and the difference between forensic recovery,
8 and the data recovery that was implemented by the government’s agents in this case. Mr. Cinco’s
9 report was provided to the government counsel sometime in May of 2015.

10 Most instructive to the jury, will be Mr. Cinco’s testimony concerning his detection of
11 malicious software on the Defendant’s computer. He will explain how the malware on the
12 Defendant’s computer was programmed to start as soon as the computer was booted, and how it
13 remained hidden by default programs. Ultimately, according to Mr. Cinco’s analysis, the
14 malware utilized the Defendant’s computer to execute a variety of commands just as an operator
15 would who was physically seated at the computer.

16 **II. QUALIFICATIONS**

17 Mr. Cinco’s “C.V.” is attached hereto. He is a graduate of the College of Southern
18 Nevada where he achieved honors for his course achievement two years running. He has
19 completed the course on Computing and Information Technology- Electronic Crime
20 Investigation from 2012 to 2014. He is skilled in Network security, vulnerability assessment,
21 computer security, information security management, malware analysis, computer forensics, as
22 well as other related tasks.

23 Mr. Cinco holds various certifications in the field of computer forensics, which include
24 the following: (1) AccessData Mobile Forensic Examiner- May 2014; (2) Hacking Forensic
25 Investigator- June 2011; and Ethical Hacker- November 2009, among others.

1 In reliance upon the foregoing, and in consideration of the ongoing discussions between
2 the government and the defense on the subject of forensic evidence, the Defendant hereby
3 formally reaffirms his intention to call Don Cinco as an expert witness in this case.

4 DATED this 28th day of October, 2015.

5 RENE L. VALLADARES
6 Federal Public Defender

7 By: /s/ William Carrico

8 WILLIAM CARRICO
9 Assistant Federal Public Defender
10 Attorney for Anousone Savanh
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CERTIFICATE OF ELECTRONIC SERVICE

The undersigned hereby certifies that she is an employee of the Federal Public Defender for the District of Nevada and is a person of such age and discretion as to be competent to serve papers.

That on October 28, 2015, she served an electronic copy of the above and foregoing **NOTICE OF EXPERT TESTIMONY** by electronic service (ECF) to the person named below:

DANIEL G. BOGDEN
United States Attorney
ALLISON HERR
Assistant United States Attorney
333 Las Vegas Blvd. So. 5th Floor
Las Vegas, NV 89101

/s/ Karen Meyer

Employee of the Federal Public Defender